

## Notice of Agency Rule-making Proposal

**AGENCY:** Department of Professional & Financial Regulation, Office of Licensing and Registration, Electricians' Examining Board

**RULE TITLE OR SUBJECT:**

Amend Chapter 100 – Advisory Rulings  
Amend Chapter 120 – Electrical Installation Standards  
New Chapter 125 – Scope of Practice  
Repeal and Replace Chapter 130 – Examination and Licensing Requirements  
Amend Chapter 150 - Reciprocity  
Repeal Chapter 160 – Complaints, Investigations and Adjudicatory Hearings  
New Chapter 170 – Denial Appeals

**PROPOSED RULE NUMBER:**

(LEAVE BLANK - ASSIGNED BY SECRETARY OF STATE):

**CONCISE SUMMARY (UNDERSTANDABLE BY AVERAGE CITIZEN):**

The Board's rules require revision for the following reasons:

1. To clarify guidelines for issuing advisory rulings and remove sections that are no longer needed such as Meeting Notices, Meeting Agendas and Records.
2. To adopt the 2008 edition of the National Electrical Code, with Maine specific amendments and exceptions.
3. To set forth the scope of practice of the various licenses issued by the Board.
4. To clarify the examination and licensure requirements for the various licenses issued by the Board as well as clarify the renewal, continuing education and late renewal requirements.
5. To clarify the filing requirements for licensure by reciprocity.
6. To set forth a licensee's right to appeal certain board actions.

The statement of economic impact on small business required by 5 MRSA §8052(5-A) may be obtained from the agency contact person.

**THIS RULE WILL\_\_ WILL NOT\_X\_ HAVE A FISCAL IMPACT ON MUNICIPALITIES.**

**STATUTORY AUTHORITY:** 32 M.R.S.A. §§1153, 1153-A, 1202, 1204, and 1206, 10 M.R.S.A. §8003(5-A), 5 M.R.S.A. §8051, 9001(4)

**PUBLIC HEARING):**

(IF ANY, GIVE DATE, TIME, LOCATION)

June 20, 2008, 9:00 a.m.

Department of Professional and Financial Regulation  
Androscoggin Room  
122 Northern Avenue

Gardiner, ME 04345

**DEADLINE FOR COMMENTS:** June 30, 2008

**AGENCY CONTACT PERSON:**

**AGENCY NAME:** Cheryl Hersom

**ADDRESS:** Office of Licensing and Registration  
35 State House Station  
Augusta, ME 04333

**TELEPHONE:** 207/624-8605

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Please approve bottom portion of this form and  
assign appropriate MFASIS number.

APPROVED FOR PAYMENT \_\_\_\_\_ DATE: \_\_\_\_\_  
*Authorized signature*

FUND	AGENCY	ORG	APP	JOB	OBJT	AMOUNT
014	02A	4220	012		4946	

## 02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

### 318 ELECTRICIANS' EXAMINING BOARD

#### CHAPTER 100 - ~~GENERAL PROVISIONS~~ ADVISORY RULINGS

SUMMARY: This rule establishes guidelines relating to ~~meetings, advisory rulings, and maintenance of records.~~

##### ~~1. MEETING NOTICES~~

~~The Department shall be responsible for distributing meeting notices to the Board members and to others as required by statute or rule. Notices may also be provided to others upon request.~~

##### ~~2. MEETING AGENDAS~~

~~A. An agenda for meetings shall be prepared by the Department and shall include business requiring consideration or action by the Board members. The agenda shall also include all business items requested by the Board members provided such request is received by the Board at least ten days in advance of the meeting.~~

~~B. Business not included on the agenda may be considered following an affirmative vote of a majority of the Board members present.~~

##### ~~3. RECORDS~~

~~The Department shall maintain a record of all business conducted by the Board and shall preserve, subject to the provisions of 5 M.R.S.A. Chapter 6, all books, documents and papers entrusted to their care. Records shall be opened to public inspection subject to 1 M.R.S.A. Chapter 13.~~

~~Access to written communication with the Department of the Attorney General, criminal history records, materials relating to license examinations, pending complaints, and other records may be restricted subject to 1 M.R.S.A. Chapter 13 and other applicable laws.~~

## **41. ADVISORY RULINGS**

### **A. Authority and Scope**

~~The Board may issue an advisory ruling pursuant to~~ in accordance with 5 M.R.S.A. § 9001 concerning the applicability to an existing factual situation of any statutes or rule it administers of a statute or rule to existing facts. ~~Each~~ The Board shall review each request shall be reviewed individually by the Board for an advisory ruling to determine whether an advisory the requested ruling is appropriate. The Board may, at its discretion, decline the request for to issue an advisory ruling if the question is hypothetical, if there is insufficient information upon which to base a ruling or for any other reason the Board deems proper. ~~An advisory ruling is not legally binding upon the Board pursuant to Title 5 M.R.S.A. §9001 of the Administrative Procedure Act.~~

### **B. Submission**

A request for an advisory ruling shall be submitted to the Board in writing and shall set forth in detail all facts pertinent to the question. The Board may require the submission of additional information as it deems necessary to provide a complete a factual background for a ruling by the Board.

### **C. Ruling**

~~An~~ The Board shall issue advisory ruling shall be rulings in writing, and shall The advisory ruling shall include a statement of facts or assumptions, or both, upon which the ruling is based. The statement, without reference to other documents, shall be sufficiently detailed to apprise the reader of the basis of the opinion. A ruling shall be rendered with the The assent of a majority of the four members of the Board is required for the issuance of an advisory ruling. ~~An advisory ruling shall~~ The ruling must be signed by the Chairperson of the Board Board's Chair, shall be identified specifically as an advisory ruling, and shall be numbered serially.

### **D. Publication**

~~An advisory ruling shall be mailed to the requesting party, and a copy shall be kept by the Board Administrator.~~ The Department shall mail the advisory ruling to the requesting party and the Board Administrator shall retain a copy. An advisory ruling is a public document and shall be is available for public inspection during the normal working hours of the Board. In addition, the Board, as it deems appropriate, may otherwise publish or circulate an advisory ruling as it deems appropriate.

AUTHORITY: 5 M.R.S.A. §§8051, 9001(4)

EFFECTIVE DATE:

**02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

**318 ELECTRICIANS' EXAMINING BOARD**

**CHAPTER 120 - ELECTRICAL INSTALLATION STANDARDS**

SUMMARY: This chapter establishes the effective dates of the current edition of the National Electrical Code to which all installations must conform.

1. All installations of electrical equipment commencing on or after July 1, ~~2005~~ 2008 shall comply with the ~~2005~~ 2008 edition of the National Electrical Code, National Fire Protection standard #70, as well as with all applicable statutes or rules of the State and all applicable ordinances, orders, rules and regulations of local municipalities.
2. The Board hereby adopts and incorporates into this chapter by reference The National Electrical Code, National Fire Protection Association standard #70, (~~2005~~ 2008 edition) with the following exceptions:

A. The Board adopts Article 210.5(C) with the following amendment:

**210.5 Identification for Branch Circuits.**

**(C) Ungrounded Conductors.** Where the premises wiring system has branch circuits supplied from more than one nominal voltage system, each ungrounded conductor of a branch circuit shall be identified by phase or line and system at all termination, connection, and splice points. The means of identification shall be permitted to be by separate color coding, marking tape, tagging, or other approved means. The method utilized for conductors originating within each branch-circuit panelboard or similar branch-circuit distribution equipment shall be documented in a manner that is readily available or shall be permanently posted at each branch-circuit panelboard or similar branch-circuit distribution equipment.

B. The Board adopts Article 210.8(A)(5), Exception to (5), with the following amendment:

**210.8 Ground-Fault Circuit-Interrupter Protection for Personnel.**

**(A) Dwelling Units.**

Exception to (5): A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection. A single receptacle connected to an individual

branch circuit supplying a sump pump shall not be required to have ground-fault circuit-interrupter protection, provided that a GFCI protected receptacle is located within 900 mm (3 ft) of the non-GFCI-protected receptacle.

AC. The Board adopts Article 210.12(B) with the following amendment:

**210.12 Arc-Fault Circuit-Interrupter Protection.**

**(B) Dwelling Units Unit Bedrooms.** All 120-volt, single phase, 15- and 20-ampere branch circuits supplying receptacle outlets installed in dwelling unit family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, or similar rooms or areas shall be protected by a listed arc-fault circuit interrupter, combination-type, installed to provide protection of the branch circuit.

D. The Board adopts Article 215.12(C) with the following amendment:

**210.12 Identification of Feeders.**

**(C) Ungrounded Conductors.** Where the premises wiring system has feeders supplied from more than one nominal voltage system, each ungrounded conductor of a feeder shall be identified by phase or line and system at all termination, connection, and splice points. The means of identification shall be permitted to be by separate color coding, marking tape, tagging, or other approved means. The method utilized for conductors originating within each feeder panelboard or similar feeder distribution equipment shall be documented in a manner that is readily available or shall be permanently posted at each feeder panelboard or similar feeder distribution equipment.

E. The Board adopts Article 250.52(A) with the following amendments to (1) and (8):

**250.52 Grounding Electrodes.**

**(A) Electrodes Permitted for Grounding.**

**(1) Metal Underground Water Pipe.** A metal underground water pipe in direct contact with the earth for 3.0 m (10 ft) or more (including any metal well casing bonded to the pipe) and electrically continuous (or made electrically continuous by bonding around insulating joints or insulating pipe) to the points of connection of the grounding electrode conductor and the bonding conductors. Underground metal well casings that are not bonded to a metal water pipe (e.g., plastic water supply piping) shall be connected as part of the grounding electrode system with a copper conductor sized in

accordance with table 250.66, but not smaller than 6 AWG copper. Interior metal water piping located more than 1.52 m (5 ft) from the point of entrance to the building shall not be used as a part of the grounding electrode system or as a conductor to interconnect electrodes that are part of the grounding electrode system.

(8) **Other Local Metal Underground Systems or Structures.** Other local metal underground systems or structures such as piping systems, and underground tanks, and underground metal well casings that are not bonded to a metal water pipe.

BF. The Board adopts Article 334.10(3) with the following amendment:

**334.10 Uses Permitted.**

(3) Other structures permitted to be of Types III, IV, and V construction except as prohibited in 334.12. ~~Cables shall be concealed within walls, floors, or ceilings that provide a thermal barrier of material that has at least a 15-minute finish rating as identified in listings of fire-rated assemblies.~~

CG. The Board does not adopt Article 334.12(A)(2), **Uses Not Permitted.**

H. The Board adopts Article 338.10(4)(a) with the following amendment:

**338.10 Uses Permitted.**

**(4) Installation Methods for Branch Circuits and Feeders.**

(a) *Interior Installations.* In addition to the provisions of this article, Type SE service-entrance cable used for interior wiring shall comply with the installation requirements of Part II of Article 334, except that the ampacity need not be in accordance with the 60°C (194°F) conductor temperature rating.

I. The Board adopts Article 338.12(B) (1) and (2) with the following amendment:

**338.12 Uses Not Permitted.**

**(B) Underground Service-Entrance Cable.**

(1) For interior wiring of branch circuits and feeders originating and terminating within the same building.



(2) For aboveground installations except where USE cable emerges from the ground and is terminated in an enclosure at ~~an outdoor~~ a location acceptable to the Authority Having Jurisdiction and the cable is protected in accordance with 300.5(D).

J. The Board adopts Article 342.30 with the following amendment:

**342.30 Securing and Supporting.** IMC shall be installed as a complete system in accordance with 300.18 and shall be securely fastened in place and supported in accordance with 342.30(A) and (B), ~~or permitted to be unsupported in accordance with 342.30(C).~~

K. The Board does not adopt Article 342.30(C), **Unsupported Raceways.**

L. The Board adopts Article 344.30 with the following amendment:

**344.30 Securing and Supporting.** RMC shall be installed as a complete system in accordance with 300.18 and shall be securely fastened in place and supported in accordance with 344.30(A) and (B), ~~or permitted to be unsupported in accordance with 344.30(C).~~

M. The Board does not adopt Article 344.30(C), **Unsupported Raceways.**

N. The Board adopts Article 352.30 with the following amendment:

**352.30 Securing and Supporting.** PVC conduit shall be installed as a complete system in accordance with 300.18 and shall be fastened so that movement from thermal expansion or contraction is permitted. PVC conduit shall be securely fastened and supported in accordance with 352.30(A) and (B), ~~or permitted to be unsupported in accordance with 352.30(C).~~

O. The Board does not adopt Article 352.30(C), **Unsupported Raceways.**

P. The Board adopts Article 355.30 with the following amendment:

**355.30 Securing and Supporting.** RTRC shall be installed as a complete system in accordance with 300.18 and shall be securely fastened in place and supported in accordance with 355.30(A) and (B), ~~or permitted to be unsupported in accordance with 355.30(C).~~

Q. The Board does not adopt Article 355.30(C), **Unsupported Raceways.**

R. The Board adopts Article 358.30 with the following amendment:

**358.30 Securing and Supporting.** EMT shall be installed as a complete system in accordance with 300.18 and shall be securely fastened in place and supported in accordance with 358.30(A) and (B), ~~or permitted to be unsupported in accordance with 358.30(C).~~

S. The Board does not adopt Article 358.30(C), **Unsupported Raceways.**

T. The Board adopts Article 702.5(B)(2) with the following amendment:

**702.5 Capacity and Rating**

**(B) System Capacity.**

**(2) Automatic Transfer Equipment.** For other than single-family dwellings, where automatic transfer equipment is used, an optional standby system shall comply with (2)(a) or (2)(b).

3. Copies of the National Electrical Code, National Fire Protection Association standard #70 may be purchased from:

National Fire Protection Association  
1 Batterymarch Park, P.O. Box 9101  
Quincy, MA 02269-9101  
Telephone: 1-800-344-3555

AUTHORITY: 32 M.R.S.A. §§1153 and 1153-A

EFFECTIVE DATE:

## **02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

### **318 ELECTRICIANS' EXAMINING BOARD**

## **CHAPTER 125 – SCOPE OF PRACTICE**

SUMMARY: This chapter sets forth the scope of practice for the various licenses issued by the Board.

### **1. DIRECT SUPERVISION**

For the purposes of this Chapter, direct supervision means that the master, journeyman or limited electrician shall be on site at all times.

### **2. APPRENTICE ELECTRICIAN**

An Apprentice Electrician shall register with the Apprenticeship Council of Maine, Department of Labor in order to work and to learn the trade of an electrician. An apprentice electrician must work under the direct supervision of a master, journeyman or limited electrician at all times while assisting in electrical installations.

### **3. HELPER ELECTRICIAN**

A Helper Electrician shall be in the employment of a master electrician, limited electrician, or electrical company and must work under the direct supervision of a master, journeyman or limited electrician at all times while assisting in electrical installations.

### **4. JOURNEYMAN-IN-TRAINING ELECTRICIAN**

A Journeyman-In-Training Electrician shall be in the employment of a master electrician, limited electrician or electrical company and work under the supervision of a master, journeyman or limited electrician at all times while making electrical installations.

### **5. JOURNEYMAN ELECTRICIAN**

A Journeyman Electrician shall be in the employment of a master electrician, limited electrician or electrical company while making electrical installations.

## **6. LIMITED ELECTRICIAN**

### **A. Limited to Water Pumps**

A Limited Electrician in Water Pumps is restricted to electrical work on water pumps between the branch circuits and power supplies.

### **B. Limited to Outdoor Signs, Including Sign Lighting**

A Limited Electrician in Outdoor Signs, including Sign Lighting, is restricted to electrical work on outdoor signs, including sign lighting, which does not include branch circuit wiring.

### **C. Limited to Gasoline Dispensing**

A Limited Electrician in Gasoline Dispensing is restricted to electrical work on gasoline dispensers between the branch circuit and the power supply.

### **D. Limited to Traffic Signals, Including Outdoor Lighting of Traffic Signals**

A Limited Electrician in Traffic Signals, including Outdoor Lighting of Traffic Signals, is restricted to electrical work on traffic signals, including outdoor lighting of traffic signals.

### **E. Limited to House Wiring**

A Limited Electrician in House Wiring is restricted to electrical work on one-family and two-family dwellings, including modular and mobile homes.

### **F. Limited to Refrigeration**

A Limited Electrician in Refrigeration is restricted to electrical work on refrigeration to all associated wire from the loadside of distribution.

### **G. Limited to Low Energy**

A Limited Electrician in Low Energy is restricted to electrical work on:

1. low energy electronics as supplied by Class I, II and III limited energy systems and the dedicated branch circuit wiring; and
2. all fire alarm systems and the dedicated branch circuit wiring.

#### **H. Limited Crane Technician**

A Limited Crane Technician is restricted to electrical work on cranes and hoists, including the installation of electrical equipment and wiring used in connection with cranes, monorail hoists, hoists and runways.

#### **7. MASTER ELECTRICIAN**

A Master Electrician may install electrical wires, conduits, apparatus, fixtures and other electrical equipment without limitation.

#### **8. ELECTRICAL COMPANY**

An Electrical Company license is required when more than one licensed electrician is employed by the company.

AUTHORITY: 32 M.R.S.A. §§1153 and 1153-A

EFFECTIVE DATE:

## **02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

### **318 ELECTRICIANS' EXAMINING BOARD**

## **CHAPTER 130 – EXAMINATION AND LICENSING REQUIREMENTS**

SUMMARY: This chapter sets forth the examination and licensure requirements for the various licenses issued by the Board.

### **1. ELIGIBILITY FOR EXAMINATION**

#### **A. JOURNEYMAN ELECTRICIAN**

To sit for the journeyman electrician's examination, an applicant must meet the education and work experience requirements set forth in 32 M.R.S.A. §1202(1)(A)(1) through (4).

An applicant who is not a graduate of an accredited regional applied technology high school 2-year electrical program or accredited community college electrical program and who is not an electrical apprentice registered with the Maine State Apprenticeship and Training Council must show proof of class hours in courses as follows:

1. 225 Hours consisting of 45 hour courses each in Electricity I, Electricity II, Math I, Controls I, and a current National Electrical Code course; and
2. 351 Hours of Electives all trade-related courses or a minimum of 225 hours of trade-related courses and 135 hours of degree-related courses in mathematics, science, business, human relations, and communications.

#### **B. MASTER ELECTRICIAN**

To sit for the master electrician's examination, an applicant must meet the education and work experience requirements set forth in 32 M.R.S.A. §1202(1)(B) and must show proof of class hours in courses as follows:

1. 450 Hours consisting of 45 hour courses each in Electricity I, Electricity II, Electronics I, Math I, Controls I, Controls II, Motors, Blue Print Reading/Drafting, Transformers, and a current National Electrical Code course; and

2. 126 Hours of degree-related courses in mathematics, science, business, human relations, and communications.

### **C. LIMITED ELECTRICIAN**

1. To sit for the limited electrician's examination in **water pumps**, the applicant must meet the following education and work experience requirements:
  - a. 135 hours of electrical education consisting of 45 hour courses each in Electricity I, Motors/Controls I, and a current National Electrical Code course; and
  - b. 2,000 hours of work experience, at least 1,000 hours of which is in water pump installations.
2. To sit for the limited electrician's examination in **outdoor signs** (including sign lighting), the applicant must meet the following education and work experience requirements:
  - a. 135 hours of electrical education consisting of 45 hour courses each in Electricity I, Controls I, and a current National Electrical Code course; and
  - b. 2,000 hours of work experience, at least 1,000 hours of which is in outdoor signs and sign lighting installations.
3. To sit for the limited electrician's examination in **gasoline dispensing**, the applicant must meet the following education and work experience requirements:
  - a. 135 hours of electrical education consisting of 45 hour courses each in Electricity I, Controls I, and a current National Electrical Code course; and
  - b. 2,000 hours of work experience, at least 1,000 hours of which is in gasoline dispensing equipment installations.
4. To sit for the limited electrician's examination in **traffic signals** (including outdoor lighting and traffic signals), an applicant must meet the following education and work experience requirements:
  - a. 135 hours of electrical education consisting of 45 hour courses each in Electricity I, Electronics I/Controls I, and a current National Electrical Code course; and

- b. 2,000 hours of work experience, at least 1,000 hours of which is in traffic signal installations.
- 5. To sit for the limited electrician's examination in **house wiring**, the applicant must meet the following education and work experience requirements:
  - a. 225 hours of electrical education consisting of 45 hour courses each in Electricity I, Electricity II, Controls I, Blueprint Reading, and a current National Electrical Code course; and
  - b. 4,000 hours of work experience, at 2,000 hours of which is in house wiring installations.
- 6. To sit for the limited electrician's examination in **refrigeration**, the applicant must meet the following education and work experience requirements:
  - a. 270 hours of electrical education consisting of 45 hour courses each in Electricity I, Electricity II, Controls I, Controls II, Motors/Transformers, and a current National Electrical Code course; and
  - b. 6,000 hours of work experience, at least 3,000 hours of which is in refrigeration installations.

NOTE: A graduate of a community college electrical program in refrigeration or from an accredited institution is credited with 4,000 hours of experience upon graduation.

- 7. To sit for the limited electrician's examination in **low energy** (including fire alarms), the applicant must meet the following education and work experience requirements:
  - a. 270 hours of electrical education consisting of 45 hour courses each in Electricity I, Electricity II, Electronics I, Blueprint Reading, Controls I, and a current National Electrical Code course; and
  - b. 4,000 hours of work experience, at least 2,000 hours of which is in low energy installations.

NOTE: An applicant for a limited license in low energy, whose experience was obtained prior to June 24, 1987, is not required to sit for the examination. The applicant must document 4,000 hours of



experience in the installation of low energy electronics, as defined by NFPA 70, the 1990 edition of the National Electrical Code.

8. To sit for the limited electrician's examination as a **crane technician**, the applicant must meet the following education and work experience requirements:
  - a. 135 hours of electrical education consisting of 45 hour courses each in Electricity I, Controls I, and a current National Electrical Code course; and
  - b. 2,000 hours of work experience in crane and hoist installations.

NOTE: An applicant for a limited license as a crane technician, whose experience was obtained prior to September 18, 1999, is not required to sit for the examination.

#### **D. APPLICATION FOR EXAMINATION**

1. An applicant for an examination shall submit all of the following:
  - a. Completed application;
  - b. The nonrefundable application fee required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees;"
  - c. Documentation of the education and experience required by Section 1(A), (B) or (C) of this Chapter; and
2. Incomplete or illegible applications will be returned to the applicant together with any attachments.
3. An applicant for examination must receive Board approval prior to sitting for an examination. Examination scores of applicants who take an examination prior to receiving Board approval will not be recognized.
4. Denied or abandoned applications requiring no further Board action will be destroyed after 6 months, and an applicant must file a new application in order to reapply.

## **2. EXAMINATIONS**

The following provisions apply to examinations for journeyman, master and limited licenses.

- A. The passing score for all examinations is 70%.
- B. An application for examination remains valid for a period of 2 years from the date of receipt. An applicant who fails to pass the examination within 2 years of Board approval shall reapply as a new applicant.

In the case of a member of the United States Armed Forces, an extension may be granted if the applicant serves no more than 4 years. If required by some provision to serve a period longer than 4 years, the applicant shall submit satisfactory evidence of this provision and a further extension may be granted. The applicant shall notify the Electricians' Examining Board of separation from the United States Armed Forces within 90 days after separation from service under other than dishonorable condition and sit for examination within 2 years from the date of separation.

NOTE: Refer to the Candidate Informational Bulletin for more examination information.

## **3. LICENSURE**

### **A. JOURNEYMAN ELECTRICIAN**

Upon passing the journeyman examination, an applicant for a journeyman license shall submit the application provided by the Board the fees required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees."

### **B. MASTER ELECTRICIAN**

Upon passing the master examination, an applicant for a master license shall submit the application provided by the Board and the fees required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees."

**C. LIMITED ELECTRICIAN**

Upon passing the limited examination, an applicant for a limited license shall submit the application provided by the Board and the fees required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees."

**D. HELPER ELECTRICIAN**

1. An applicant for a helper license as set forth in 32 M.R.S.A. §1202(2) shall submit the application provided by the Board and the fees required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees."
2. The minimum age for a helper is 16 years, unless the applicant is enrolled in an accredited regional applied technology high school 2-year electrical program.

**E. APPRENTICE ELECTRICIAN**

1. An applicant for an apprentice license as set forth in 32 M.R.S.A. §1202(2) shall submit the application provided by the Board and the fees required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees."
2. An applicant for an apprentice license must be enrolled in the State Apprenticeship and Training Council and must show proof of enrollment.
3. The minimum age for an apprentice is 16 years.

**F. JOURNEYMAN-IN-TRAINING**

An applicant for a journeyman-in-training license as set forth in 32 M.R.S.A. §1202(1)(D) shall submit the application provided by the Board and the fees required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees."

**G. WORK EXPERIENCE**

To be recognized for licensing purposes, work experience must meet the following requirements:

1. Unless an applicant was enrolled in an accredited regional applied technology high school 2-year electrical program at the time, only hours of work experience after the applicant's sixteenth birthday are valid;
2. Unless overtime is verified to the Board's satisfaction, no credit for work experience shall be given for more than 40 hours per week; and
3. Experience applicable toward licensure after January 1, 2002 must be obtained with a valid license unless otherwise exempted.

#### **H. IDENTIFICATION OF LICENSEE**

A person validly licensed as an electrician pursuant to 32 M.R.S.A. Chapter 17 shall be issued a pocket card, which shall include the name of the person, the number and type of license and the time period for which the license is valid. The pocket card must be carried by the licensee at all times when acting in the course of the trade and must be displayed upon request.

#### **4. RENEWAL; CONTINUING EDUCATION; LATE RENEWALS**

- A. **Renewal.** All licenses expire 2 years from date of issuance. To renew a license, the licensee shall follow the online renewal procedure prescribed by the Board and shall remit the license fee required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration.
- B. **Continuing Education.** A master electrician, journeyman electrician, limited electrician, or journeyman-in-training shall also certify at time of renewal to completion of an approved 15 hour current National Electrical Code update course according to the schedule below. This certification is subject to audit pursuant to Chapter 13 of the rules of the Office of Licensing and Registration, entitled "Uniform Rule for the Substantiation of Continuing Education Requirements."

### National Electrical Code Update Schedule

<u>Renewal Year</u>	<u>15-hour NEC Code Update</u>
2007	No Code Update Required
2008	2008 Code Update
2009	2008 Code Update
2010	No Code Update Required
2011	2011 Code Update
2012	2011 Code Update
2013	No Code Update Required
2014	2014 Code Update
2015	2014 Code Update
2016	No Code Update Required
2017	2017 Code Update
2018	2017 Code Update
2019	No Code Update Required
2020	2020 Code Update
2021	2020 Code Update

NOTE: The National Electrical Code Update Schedule is based on an assumed 3-year code cycle and subject to actual publication dates by the National Electrical Code.

- C. A license may be renewed up to 90 days after expiration upon payment of the late fee required by Chapter 11, Section 2(1) of the rules of the Office of Licensing and Registration, entitled "Late Renewals," in addition to the license fee.

## **5. LICENSE REINSTATEMENT**

A master, limited or journeyman electrician who submits an application for renewal more than 90 days after the license expiration date shall be subject to one of the following conditions:

- A. More than 90 Days but less than 2 Years. The licensee who fails to renew a license for more than 90 days but not more than 2 years after the date of

expiration may reinstate the license without taking the examination by filing a new application for renewal and paying the license and late renewal fees required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees" and Chapter 11, Section 3 of the rules of the Office of Licensing and Registration, entitled "Late Renewals;"

- B. More than 2 Years but less than 10 Years. The licensee who fails to renew a license for more than 2 years but less than 10 years after the date of expiration may request a hearing at a scheduled meeting of the Board to determine eligibility. The Board, in its discretion, may reinstate the license upon payment of the applicable licensee and late renewal fees and upon such conditions as may be necessary to ensure that the licensee is qualified to resume practice; or
- C. More than 10 Years. An individual who fails to renew a license for more than 10 years from the date of expiration may obtain a new license by satisfying all of the requirements of 32 M.R.S.A. Chapter 17 and these rules.

## **6. REJECTED APPLICATIONS**

Denied or abandoned applications requiring no further Board action will be destroyed after 6 months, and an applicant must file a new application in order to reapply.

AUTHORITY: 32 M.R.S.A. §§1153, 1202, and 1204

EFFECTIVE DATE:

## **02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

### **318 ELECTRICIANS' EXAMINING BOARD**

#### **CHAPTER 150 - RECIPROCITY**

SUMMARY: This Chapter defines the procedures for qualifying for licensure by reciprocity.

##### **1. RECIPROCAL AGREEMENTS**

- A. At the request of the electricians' licensing authority in another state (the "reciprocal state"), or upon its own initiative, the Board shall determine whether the reciprocal state's standards for licensure are sufficient to establish that an electrician licensed in the reciprocal state is qualified to make electrical installations in Maine without taking the examination, which is otherwise required under 32 M.R.S.A. §1203. In making this determination, the factors the Board shall consider include, but need not be limited to, the type of examination administered, the passing score and provisions (if any) for waiver of examination, and the length of time those standards have been in effect.
- B. If the reciprocal state uses different terminology for its licensing grades than Maine uses, or uses the same terms with different meanings, a reciprocity agreement shall specify which degrees of licensure are subject to reciprocity.
- C. Any individual licensed by reciprocity shall comply with the Maine statutes and rules governing electricians while engaged in electrical installations in the State of Maine, including continuing education requirements.
- D. If a reciprocity agreement is terminated by either Maine or the reciprocal state, no new licenses ~~shall~~ may be granted on the basis of that agreement, but the termination of the agreement shall not impair the validity or renewability of licenses previously issued under the agreement.

##### **2. APPLICATION**

- A. If a reciprocity agreement has been ratified by both the Board and the licensing authority in the reciprocal state, any electrician licensed in the reciprocal state shall be issued a Maine license of the equivalent degree. Applicants for reciprocity ~~must~~ shall submit all of the following:
  - 1. Completed application;

2. ~~Application fee (nonrefundable)~~ The nonrefundable application fee required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees;"
3. ~~License fee~~ The license fee required by Chapter 10, Section 5(15) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees;"
4. ~~Documentation of education and experience or documentation~~ of six years of licensed working experience; and
5. ~~Certified statement verifying licensure~~ License verification from the reciprocal state.

AUTHORITY: 32 M.R.S.A. §§1153 and 1206, 10 M.R.S.A. §8003(5-A)(G)

EFFECTIVE DATE:



## ~~02 — DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION~~

### ~~318 — ELECTRICIANS' EXAMINING BOARD~~

## ~~CHAPTER 160. COMPLAINTS, INVESTIGATIONS AND ADJUDICATORY HEARINGS~~

~~Summary: This Chapter describes the procedure by which complaints and adjudicatory hearings will be handled by the Board.~~

### ~~1. — WRITTEN COMPLAINTS~~

~~Complaints are filed in accordance with the procedures established by the Department of Professional & Financial Regulation, Office of Licensing and Registration. Members of the public may receive materials for initiating a complaint from:~~

~~\_\_\_\_\_ Office of Licensing & Registration  
\_\_\_\_\_ Complaints & Investigations Unit  
\_\_\_\_\_ 35 State House Station  
\_\_\_\_\_ Augusta, ME 04333-0035  
\_\_\_\_\_ Tel: 207/624-8603~~

### ~~2. — OTHER INVESTIGATIONS~~

~~\_\_\_\_\_ An investigation may be conducted based upon information other than a written complaint if such information provides prima facie evidence of a violation of 32 M.R.S.A. Chapter 17, or if such information raises a substantial question about the qualifications of an applicant or licensee.~~

### ~~3. — BOARD MEMBER REQUEST FOR INVESTIGATION~~

~~\_\_\_\_\_ A member of the Board may file a complaint or request an investigation, but such complaint or request shall serve to disqualify that member from participating in the Board's disposition of that complaint. The complaining Board member shall be prohibited from discussing the issue with other members, except as a witness in the proceeding, until after the time for appeal of final agency action has lapsed or appeal rights have been exhausted.~~

#### **4. ~~PROHIBITED COMMUNICATIONS~~**

~~In any adjudicatory proceeding, no agency members authorized to take final action or presiding officers designated by the agency to make findings of fact and conclusions of law may communicate directly or indirectly in connection with any issue of fact, law or procedure, with any party or other persons legally interested in the outcome of the proceeding, except upon notice and opportunity for all parties to participate.~~

#### **5. ~~ADJUDICATORY HEARINGS~~**

~~Board hearings shall conform to the requirements of the Maine Administrative Procedure Act, 5 M.R.S.A. Chapter 375.~~

AUTHORITY: 32 M.R.S.A. §1153

EFFECTIVE DATE:

## **02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

### **318 ELECTRICIANS' EXAMINING BOARD**

#### **CHAPTER 170 - DENIAL APPEALS**

Summary: This Chapter sets forth an applicant or licensee's right to appeal certain board actions.

##### **APPEAL OF LICENSE DENIAL**

An applicant or licensee may appeal a license denial to the Board by filing a request for hearing with the Board in writing within 30 days of the applicant's or licensee's receipt of notice of the denial. An adjudicatory hearing will be scheduled upon receipt of a timely appeal. Non-timely appeals will be denied without hearing.

AUTHORITY: 10 M.R.S.A. §8003(5-A)

EFFECTIVE DATE: